

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 901 AND 917 EAST 6th STREET IN THE EAST
3 CESAR CHAVEZ NEIGHBORHOOD PLAN AREA FROM TRANSIT ORIENTED
4 DEVELOPMENT-NEIGHBORHOOD PLAN (TOD-NP) COMBINING DISTRICT
5 TO TRANSIT ORIENTED DEVELOPMENT-CENTRAL URBAN
6 REDEVELOPMENT-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN
7 (TOD-CURE-CO-NP) COMBINING DISTRICT.

8
9 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

10
11 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
12 change the base district from transit oriented development-neighborhood plan (TOD-NP)
13 combining district to transit oriented development-central urban redevelopment-conditional
14 overlay-neighborhood plan (TOD-CURE-CO-NP) combining district on the property
15 described in Zoning Case No. C14-2015-0054, on file at the Planning and Zoning
16 Department, as follows:

17
18 **Tract 1:**

19 0.514 acre tract of land or parcel of land consisting of all of Lots 16, 17 and 18 and
20 the west 38 feet of Lot 15, Block 2, Connor's addition to the City of Austin, out of
21 Outlot 1, Division "A", according to the map of plat thereof recorded in Volume V,
22 Page 449, deed records, Travis County, Texas and being more particularly
23 described by metes and bounds in Exhibit "A" incorporated into this ordinance

24
25 **Tract 2:**

26 0.192 acre tract of land or parcel of land consisting of a portion of Lots 14 and 15,
27 Block 2, Connor's addition to the City of Austin, out of Outlot 1, Division "A",
28 according to the map or plat thereof recorded in Volume V, Page 449, deed
29 records, Travis County, Texas, and being more particularly described by metes and
30 bounds in Exhibit "B" incorporated into this ordinance (cumulatively referred to as
31 the "Property")

32
33 locally known as 901 and 917 East 6th Street in the City of Austin, Travis County, Texas,
34 and generally identified in the map attached as Exhibit "C".

35
36 **PART 2.** The Property is subject to Ordinance No. 001214-20 that established the East
37 Cesar Chavez neighborhood plan.

38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. The Plaza Saltillo Transit Oriented Development (TOD) Regulating Plan is amended to provide a maximum building height of 80 feet and 5 stories.
- B. City Code Section 25-2-531 is amended to provide that storage rooms, restroom structures, and elevator lobbies may exceed the maximum building height by 12 feet.
- C. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- D. Vehicular access from the Property to East 6th Street is prohibited.

PART 4. Affordable Housing

- A. For purposes of determining the affordable housing requirement under the Plaza Saltillo Transit Oriented Development (TOD) Regulating Plan, the project is defined as follows:
 - 1) A commercial building and related improvements, not including residential square footage, to be built on the Property (the “Project”)
- B. In compliance with the Plaza Saltillo Transit Oriented Development (TOD) Regulating Plan, the Property Owner shall pay a fee in-lieu of providing on-site affordable housing units for the additional square footage above the 2:1 floor-to-area ratio (“Bonus Square Footage”). The fee-in-lieu is based on the Bonus Square Footage of the Project.
- C. A certificate of occupancy may not be issued until:
 - 1) The Bonus Square Footage is calculated, certified, and submitted to Neighborhood Housing and Community Development (“NHCD”), Attn: Real Estate & Development Division and;
 - 2) The fee is paid to NHCD.

78
79 D. If residential development is added to the Project when a site plan is submitted,
80 City Council approval must be obtained to pay a fee in-lieu of providing on-site
81 affordable units.
82

83 **PART 5.** If the Project exceeds 60 feet in height, the Property Owner shall make a one-
84 time contribution of parkland fees to the City of Austin for improvement to Velasquez
85 Park, in compliance with the Plaza Saltillo Transit Oriented Development (TOD)
86 Regulating Plan, Sections 4.10.4 and 4.11.6, and City Code Section 25-1-601. The
87 parkland fees shall be in the amount of \$100,000 per the Plaza Saltillo Transit Oriented
88 Development (TOD) Regulating Plan, Section 4.10.4, and shall be paid to the City prior to
89 release of a site development permit for the Project.
90

91 Except as specifically restricted under this ordinance, the Property may be developed and
92 used in accordance with the regulations established for the transit oriented development
93 (TOD) district, the central urban redevelopment (CURE) combining district, neighborhood
94 plan (NP) combining district and other applicable requirements of the City Code.
95

96 **PART 4.** This ordinance takes effect on _____, 2015.
97

98
99 **PASSED AND APPROVED**

100
101 §
102 §
103 _____, 2015 § _____
104

105 Steve Adler
106 Mayor

107
108 **APPROVED:** _____ **ATTEST:** _____
109 Anne L. Morgan Jannette S. Goodall
110 Interim City Attorney City Clerk

FIELD NOTE DESCRIPTION FOR A 0.514 ACRE TRACT:

BEING A 0.514 ACRE TRACT OR PARCEL OF LAND CONSISTING OF ALL OF LOTS 16, 17 AND 18 AND THE WEST 38 FEET OF LOT 15, BLOCK 2, CONNOR'S ADDITION TO THE CITY OF AUSTIN, OUT OF OUTLOT 1, DIVISION "A", ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME V, PAGE 449, DEED RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron pipe found for the southwest corner of this tract and Lot 18, and being a point on the north right-of-way line of an alley at its intersection with the east right-of-way line of Brushy Street, and which point is also POINT OF BEGINNING of the herein described tract;

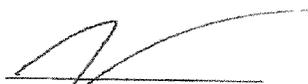
THENCE with the west line of this tract and Lot 18, and the east right-of-way line of Brushy Street North $19^{\circ}07'06''$ East a distance of 128.48 feet to an "X" found in concrete for the northwest corner of this tract and Lot 18, and being a point on the east right-of-way line of Brushy Street at its intersection with the south right-of-way line of East 6th Street;

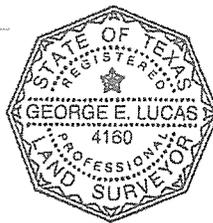
THENCE with the north line of this tract and Block 2 and the south right-of-way line of East 6th Street South $71^{\circ}07'15''$ East a distance of 176.00 feet to a $\frac{1}{2}$ " iron rod set for the northeast corner of this tract and the northwest corner of a tract of land conveyed to Osten Hall, LLC in a deed recorded in Document No. 2013178388, Official Public Records, Travis County, Texas;

THENCE with the east line of this tract and the west line of the Osten Hall tract across Lot 15 South $19^{\circ}07'47''$ West a distance of 126.17 feet to a $\frac{1}{2}$ " iron rod set for the southeast corner of this tract and the southwest corner of the Osten Hall tract and being a point on the north right-of-way line of an alley;

THENCE with the south line of this tract and Block 2 and the north right-of-way line of an alley North $71^{\circ}52'28''$ West a distance of 176.00 feet to the POINT OF BEGINNING, containing 0.514 acres of land, more or less.

CELCO Surveying
2205 Stonecrest Path
New Braunfels, Texas 78130
Firm registration No. 10193975
PHONE: 830-214-5109
FAX: 866-571-8323
e-mail: eddie@celcosurveying.com


BY: GEORGE E. LUCAS
R.P.L.S. No. 4160
State of Texas
November 21, 2014



FIELD NOTE DESCRIPTION FOR A 0.192 ACRE TRACT:

BEING A 0.192 ACRE TRACT OR PARCEL OF LAND CONSISTING OF A PORTION OF LOTS 14 AND 15 BLOCK 2, CONNOR'S ADDITION TO THE CITY OF AUSTIN, OUT OF OUTLOT 1, DIVISION "A", ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME V, PAGE 449, DEED RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at an iron pipe found for the southwest corner of Lot 18 of the above-referenced subdivision, and being a point on the north right-of-way line of an alley at its intersection with the east right-of-way line of Brushy Street;

THENCE with the south line of Block 2 and the north right-of-way line of an alley South $71^{\circ}52'28''$ East a distance of 176.00 feet to a $\frac{1}{2}$ " iron rod set for the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE with the west line of this tract across Lot 15 North $19^{\circ}07'47''$ East a distance of 126.17 feet to a $\frac{1}{2}$ " iron rod set for the northwest corner of this tract, and being a point on the south right-of-way line of East 6th Street;

THENCE with the north line of this tract and Block 2 and the south right-of-way line of East 6th Street South $71^{\circ}07'15''$ East a distance of 67.06 feet to a $\frac{1}{2}$ " iron rod found for the northeast corner of this tract;

THENCE with the east line of this tract across Lot 14 South $19^{\circ}44'02''$ West a distance of 125.31 feet to a nail found for the southeast corner of this tract and being a point on the north right-of-way line of an alley;

THENCE with the south line of this tract and Block 2 and the north right-of-way line of an alley North $71^{\circ}52'28''$ West a distance of 65.74 feet to the POINT OF BEGINNING, containing 0.192 acres of land, more or less.

CELCO Surveying
2205 Stonecrest Path
New Braunfels, Texas 78130
Firm registration No. 10193975
PHONE: 830-214-5109
FAX: 866-571-8323
e-mail: eddie@celcosurveying.com

BY:  GEORGE E. LUCAS
R.P.L.S. No. 4160
State of Texas
December 5, 2014

